

[J-74A-H-2013][M.O. – Stevens, J.]
IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 9 EAP 2013
	:	
Appellant	:	Appeal from the Judgment of Superior
	:	Court entered on 5/25/12 at No. 1631
v.	:	EDA 2010 vacating the order entered
	:	on 5/20/10 in the Court of Common
	:	Pleas, Philadelphia County, Criminal
	:	Division at No. MC-51-CR-0127801-
	:	1992
MARK WALLACE,	:	
	:	
Appellee	:	SUBMITTED: September 9, 2013
	:	
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	No. 10 EAP 2013
	:	
Appellant	:	Appeal from the Judgment of Superior
	:	Court entered on 5/25/12 at No. 1894
v.	:	EDA 2010 vacating the order entered
	:	on 6/28/10 in the Court of Common
	:	Pleas, Philadelphia County, Criminal
	:	Division, at No. MC-51-CR-1059771-
	:	1998
MARK GREEN,	:	
	:	
Appellee	:	SUBMITTED: September 9, 2013
	:	
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	No. 11 EAP 2013
	:	
Appellant	:	Appeal from the Judgment of Superior
	:	Court entered on 5/25/12 at No. 1895
v.	:	EDA 2010 vacating the order entered
	:	on 6/28/10 in the Court of Common
	:	Pleas, Philadelphia County, Criminal
	:	Division, at Nos. MC-51-CR-0001841-
	:	2007; MC-51-CR-0007002-2001; MC-
	:	51-CR-0020961; MC-51-CR-0412481-
	:	1990; MC-51-CR-0512751-1992; MC-
	:	51-CR-0512771-1992; MC-51-CR-
MARK GREEN A/K/A MARK WALLACE,	:	
	:	
Appellee	:	

	:	0904091-1988; MC-51-CR-0911491-
	:	1988 and CP-51-CR-0204911-2001
	:	
	:	SUBMITTED: September 9, 2013
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	No. 12 EAP 2013
	:	
Appellant	:	Appeal from the Judgment of Superior
	:	Court entered on 5/25/12 at No. 2166
v.	:	EDA 2010 vacating the order entered
	:	on 5/20/10 in the Court of Common
MARK WALLACE,	:	Pleas, Philadelphia County, Criminal
	:	Division, at No. MC-51-CR-1157451-
Appellee	:	1998
	:	
	:	SUBMITTED: September 9, 2013
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	No. 13 EAP 2013
	:	
Appellant	:	Appeal from the Judgment of Superior
	:	Court entered on 5/25/12 at No. 2850
v.	:	EDA 2010 vacating the order entered
	:	on 7/6/10 in the Court of Common
MARK WALLACE,	:	Pleas, Philadelphia County, Criminal
	:	Division, at No. CP-51-CR-1109501-
Appellee	:	1998
	:	
	:	SUBMITTED: September 9, 2013
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	No. 14 EAP 2013
	:	
Appellant	:	Appeal from the Judgment of Superior
	:	Court entered on 5/25/12 at No. 2851
v.	:	EDA 2010 vacating the order entered
	:	on 10/6/10 in the Court of Common
MARK WALLACE,	:	Pleas, Philadelphia County, Criminal
	:	Division, at Nos. MC-51-CR-1028961-
Appellee	:	1991 and MC-51CR-1028971-1991
	:	
	:	SUBMITTED: September 9, 2013

COMMONWEALTH OF PENNSYLVANIA,	:	No. 15 EAP 2013
	:	
Appellant	:	Appeal from the Judgment of Superior
	:	Court entered on 5/25/12 at No. 3026
v.	:	EDA 2010 vacating the order entered
	:	on 10/6/10 in the Court of Common
JAMES SMITH,	:	Pleas, Philadelphia County, Criminal
	:	Division, at No. MC-51-CR-0719321-
	:	1991
Appellee	:	
	:	SUBMITTED: September 9, 2013
	:	
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	No. 16 EAP 2013
	:	
Appellant	:	Appeal from the Judgment of Superior
	:	Court entered on 5/25/12 at No. 766
v.	:	EDA 2011 vacating the order entered
	:	on 2/22/11 in the Court of Common
	:	Pleas, Philadelphia County, Criminal
MARK WALLACE,	:	Division at Nos. MC-51-CR-06032521-
	:	1988; MC-51-CR-0920171-1988; MC-
	:	51-CR-0920181-1998; MC-51-CR-
Appellee	:	0218521-1998; MC-51-CR-0911487-
	:	1998; MC-51-CR-0632531-1998; MC-
	:	51-CR-0403331-1988 and CP-51-CR-
	:	0332611-1988
	:	
	:	SUBMITTED September 9, 2013

CONCURRING OPINION

MR. JUSTICE SAYLOR

DECIDED: July 21, 2014

I join the majority opinion, as I believe that its constitutional assessment is correct as applied in the present circumstances and, at least as a general proposition, some restraints on inmates' ability to petition for expungement during their terms of

incarceration will assist in cabining the impact of prisoner litigation on limited judicial and public resources. Since, however, we have a very particularized and egregious set of circumstances before us, my approach would be to couch the restraint in terms of a general rule, thus allowing for the possibility for further evaluation in cases presenting exceptional circumstances.